

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1, 2, 19-26, 34, 35, and 46-53 are currently pending. Claims 1, 19, 27, 34, and 40, which are independent, are amended. Support for the amendment is provided throughout the Specification.

No new matter has been introduced. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-85 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Publication WO92/16944 to Platte et al. (hereinafter, merely "Platte") and in view of U.S. Patent No. 4,044,380 to Justice et al. (hereinafter, merely "Justice").

### **III. RESPONSE TO REJECTIONS**

Claim 1 recites, *inter alia*:

“wherein the predetermined bits include copy control information data and a content type information data so that the receiving apparatus can control processing the processed video signal based on the copy control information data and the content type information data.” (emphasis added)

As understood by Applicants, Platte relates to a recording and copying system.

The invention uses additional signals, subcodes, to identify the original source of the tape and control copy restrictions.

As understood by Applicants, Justice relates to an answer system based on the use of code pulses that are repeated cyclically during their concealed transmission within a television video waveform.

Specifically, the encoder in Justice is reset following each transfer of encoded indicia.

Applicants respectfully submit that Platte and Justice, taken alone or in combination, fail to disclose or render predictable wherein the predetermined bits include copy control information data and a content type information data so that the receiving apparatus can control processing the processed video signal based on the copy control information data and the content type information data, as recited in claim 1.

Thus, the art used as a basis of rejection is completely silent with respect to the claimed features.

Therefore, Applicants respectfully submit that claim 1 is patentable.

For reasons similar to those described above with regard to independent claim 1, amended independent claims 19, 27, 34, and 40 are also patentable.

#### **IV. DEPENDENT CLAIMS**

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

#### **CONCLUSION**

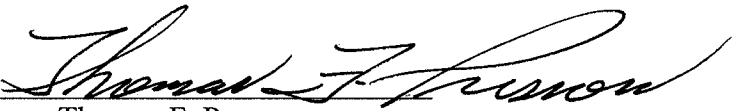
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portion or portions of the reference or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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